

MINUTES
PLANNING and POLICY ADVISORY COMMITTEE
Joint meeting with PPAC Planning Subcommittee
Thursday, August 7, 2008
Risser Justice Center
Madison, WI

Members Present: Chief Justice S. Abrahamson, Hon. C. Ashley, Ms. K. Deiss, Hon. T. Dugan, Hon. B. Gordon, Ms. L. Hoskins, Hon. W. Johnston, Hon. E. Leineweber, Hon. P. Madden, Hon. W. Marik, Hon. J.D. McKay, Comm. D. McManus, Hon. R. Nuss, Hon. G. Potter, Ms. G. Richardson, Mr. M. Tobin, Hon. Linda Van De Water, and Mr. J. Voelker.

Members Absent: Hon. D. Bain, Hon. A. Bates, Mr. O. Boldt, Ms. H. Dugan, Mr. J. Dwyer, Mr. A. Gerol, Hon. J. Kessler, Hon. D. Koval, Hon. P. Madden, and Hon. B. Stewart,

Guests Present: Hon. B. Kluka, Ms. Sheila Reiff, Ms. D. Treis-Rusk, Hon. M. Vergerot, and Mr. J. Walsh

Staff Present: Ms. D. Brescoll, Ms. M. Cyrulik, Ms. P. Radloff, and Ms. E. Slattengren

Meeting Materials Distributed Prior to Meeting:

1. Meeting Agenda
2. May 2008 Meeting Minutes
3. 2008-2010 Critical Issues Final Report May 2008
4. Videoconferencing Subcommittee Report
5. Court Security Subcommittee Report
6. PPAC 2009-2011 Budget Memo
7. Interpreter Mileage Reimbursement Rate Proposal (4801)
8. Court Interpreter Pilot Proposal (4802)
9. Circuit Court Financial Assistance Program Proposal (4803)
10. Auditor for Standardized County Reporting Proposal (6211)
11. Biennial Appropriation for Director of State Courts (6212)
12. Office of Lawyer Regulation Assistant Litigator To Permanent Proposal (6213)
13. Wisconsin State Law Library Book and Online Services Funding Proposal (6214)
14. PPAC Planning Subcommittee Planning Definition Key
15. PPAC Planning Subcommittee Proposed Framework and Critical Issues Process
16. PPAC Planning Subcommittee Long Range Planning Proposed Timeline
17. PPAC Planning Subcommittee Long Range Planning Proposal PowerPoint Presentation

1. Welcome and Introductions

Chief Justice Abrahamson, PPAC Chair, led an introduction of PPAC members, guests and staff.

2. Previous Meeting Minutes

The minutes from the May 2008 PPAC meeting were approved as submitted.

3. Membership Update

Chief Justice Abrahamson welcomed Judge Linda Van De Water from Waukesha County. She is replacing Judge Michael Bohren as the representative from District III.

4. Biennial Budget Review and Recommendations

All handouts for this item were distributed via email for review prior to today's meeting. Ms. Brescoll reviewed PPAC's role in the Biennial budget process as outlined in SCR 70.14. PPAC is to be kept fully and timely informed of all budgetary matters affecting the judiciary to allow it to participate in the budget process. The PPAC Planning Subcommittee has been designated as the subcommittee responsible for budget review and as a result the joint meeting of PPAC and PPAC Planning in August has been designated to solicit feedback on the judicial branch's budget requests.

This biennial budget process began in April through a request of internal stakeholders which was followed by a request for the development of issue papers on certain suggestions by the Chief Justice and Director of State Courts. Each of these issue papers has been distributed for review and subsequent discussion by PPAC. In addition to each item included in the issue papers, it is the intention of the Court to continue to support a proposal to increase the indigency rate for the State Public Defender.

"Support Local Government" remains one of the Governor's core concepts for constructing the budget. Each of the following proposals respond to PPAC's recommendation for an improved court system funding structure as well as the Governor's priority of improving cooperation between the state and local government. Ms. Brescoll encouraged PPAC to consider three things when reviewing each of these requests: whether the request is necessary to meet the court system's constitutional responsibilities; whether the request will assist the judicial system in meeting the priorities established in the PPAC action plan; and whether the request is appropriate considering the political climate as well as the Governor's budget policies and priorities.

Ms. Brescoll then reviewed each of the issue papers. A summary follows but for more information please consult the meeting handouts.

Interpreter Mileage Reimbursement Rate Proposal (4801)

- This is a monetary request and statutory language modification to increase the statutory mileage rate for interpreters and the State reimbursement to counties for court interpreter mileage. Counties usually reimburse interpreters at a rate greater than what is currently in statute and therefore the statutory provision does not cover true out-of-pocket costs counties incur. It is requested that this rate be tied to the mileage rate set under the "Uniform travel schedule amounts; allowances..." set

biennially by the Legislature's Joint Committee on Employment Relations. There was no discussion on this item.

Court Interpreter Pilot Proposal (4802)

- This is a non-statutory proposal for a two-year court interpreter pilot project in District 7. Participating counties would agree through a memorandum of understanding to have the District Court Administrator's Office coordinate, schedule and pay for court interpreter services for the duration of the pilot. There was limited discussion on this item.

Circuit Court Financial Assistance Program Proposal (4803)

- This is the same proposal that was submitted two years ago. It is requesting both a statutory change and an increase in funding to allow for the consolidation of the Circuit Court Support and Guardian ad Litem payment programs into one payment program called the Circuit Court Services Support Program. As a result of consolidation this new program would provide a more equitable formula for allocation of funds, would provide increased funding to counties for circuit court operations, and would provide a mechanism to ensure a continuing link between levels of activity and funding. Although the proposal did not gain inclusion in the biennial budget, it did result in additional appropriations to the Circuit Court Support payment (CCSP) There was no discussion on this item.

Extension of Auditor for Standardized County Reporting Proposal (6211)

- The Supreme Court is requesting a two-year extension to the 1.0 GPR two-year project position provided in 2007-2009 budget. There is no fiscal effect as the position and its funding are included in the base budget. There was no discussion on this item.

These remaining requests will assist in improving court system efficiency, effectiveness, and the quality of service.

Office of Lawyer Regulation Assistant Litigator to Permanent Proposal (6213)

- ORL requests conversion of an existing 1.0 FTE PR project Assistant Litigator position into a permanent position. The revenue source for this position is a lawyer regulation assessment on each member of the State Bar and assessments collected from attorneys following disciplinary and reinstatement proceedings. There was no discussion on this item.

Wisconsin State Law Library Book and Online Services Funding Proposal (6214)

- This request is to account for inflationary increases for book and online services as well as to fund the first two years of a 15-year purchase of West's National Reporter System on DVD. There was no discussion on this item.

Biennial Appropriation for Director of State Courts (6212)

- The Director of State Courts requests a statutory language change to convert its biennial appropriation from annual to biennial. This change will provide the Director

with more management flexibility and efficiency. Both the Legislative Branch and the Governor's Office are currently afforded this flexibility. There was no discussion on this item.

Motion: Ms. D. McManus made a motion to follow these items as PPAC's budget priorities in accordance with the budget request. Second by Hon. C. Ashley. Motion carried without opposition.

5. Planning Subcommittee Presentation and Discussion of Enhanced Planning Proposal

Judge Barbara Kluka, Planning Subcommittee Chair, began with a PowerPoint presentation of the proposed enhanced planning process. The purpose of the presentation was to review the directive the subcommittee received from PPAC, review the work done by the subcommittee, present the recommendation developed by the Planning Subcommittee, and present similarities/differences of the new process compared to the current process.

- The Planning Subcommittee's work began by assessing PPAC's "readiness" to conduct long-range strategic planning
 - Result = proceed with caution
- Conducted a literature review that included the 1994 document "Framework for Action Strategic Planning for the Wisconsin Court System" as well as other strategic plans including those from other state court systems.

The Planning Subcommittee recommended an enhanced planning process that includes the following components:

- Maintain the two-year cycle of *critical issues* development and add an enhanced environmental assessment every six years
- Develop a process for increasing information gathering efforts and sources
- Develop a process to identify action steps and budget priorities for each *critical issue*
- Create a feedback loop for routine review and assessment of progress and accomplishments by PPAC
- Adjust the planning process to better align with the biennial budget process

PPAC Planning Subcommittee's role and function in this proposed enhanced process:

- Develop the plan

PPAC's role and function in this proposed enhanced process:

- Approve, recommend and oversee the implementation of the plan

Director of State Court's Office role and functions in the proposed enhanced process:

- Adopt/implement the recommendations

Key changes as a result of implementation of enhanced planning process:

- Creates a new six year environmental assessment process which includes routine review of mission/vision; research of activities in other states; conduct a literature review; research both national and local demographic, social, and business trends; survey both internal and external stakeholders

- Creates a process to work towards identified goals
- *Critical issues* will become more action orientated
- PPAC will have more direct responsibility for the development of action plans and identification of action steps for each *critical issue*
- PPAC will actively monitor action plans, tasks, and budget priorities
- PPAC meeting schedule will be adjusted to accommodate the six year process and the biennial budget cycle

Judge C. Ashley moved for the approval and adoption of the enhanced planning process as presented. This was seconded by Ms. L. Hoskins. He also thanked Judge Kluka and the subcommittee for their work. Motion carried without opposition.

6. Videoconferencing Subcommittee

Chief Justice Abrahamson referred the committee of the written update submitted by Judge McMonigal distributed with meeting materials. The subcommittee is seeking direction from PPAC on next steps now that the rule has taken effect.

A motion was made by Judge McKay and seconded by Ms. Hoskins asking the Videoconferencing Subcommittee to reconvene to continue work on protocols with other state agencies such as Department of Corrections and Department of Health Services; revise Bridging the Distance as necessary; and to consider what education is needed as a result of the rule taking effect. This motion was carried without opposition.

7. Court Security Subcommittee

A written update of Court Security Subcommittee activities was submitted by Judge Bohren and Judge O'Brien.

8. Effective Justice Strategies Phase II

Judge Ashley spoke about recent activities of the Subcommittee. There have been discussions about the possibility and feasibility of creating a statewide criminal justice coordinating council. Work on the AIM project site visit continues. A one day conference is scheduled to take place in November in Madison. Professionals from three jurisdictions will be coming to present on their experiences with risk assessment to AIM counties as well as other interested counties. Lastly representatives from the Justice Reinvestment Initiative were here last week. This is a process in collaboration with the U.S. Department of Justice, PEW, and the JEHT Foundation. Wisconsin is under consideration to be studied as one of the next sites.

9. Legislative Update

Mr. Voelker provided this update in Ms. Rottier's absence. There has been little activity since the last PPAC meeting as the legislature is not in session. Work is being done on the courts legislative agenda for the next session set to begin in January.

10. Other Items

There were no other items for discussion.

Future Meetings

The next PPAC meeting is scheduled for Monday November 3, 2008 from 10:00 to 12:00 (location to be determined).